
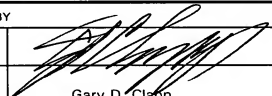




TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT (Period of disclaimer to be completed by Petitions Examiner)		Docket Number (Optional) EMCCOR P08AUSD1
In re Application of:	Robert Lawrence FAIR	
Application No.:	10/614,630	
Filed:	July 7, 2003	
For:	A MULTIPLE HIERARCHICAL/PEER DOMAIN FILE SERVER WITH DOMAIN BASED, CROSS DOMAIN COOPERATIVE, FAULT HANDLING MECHANISMS	
<p>The owner EMC Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,718,481 as the term of said prior patent is defined in 35 U.S.C. § 154 and § 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 and § 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:</p> <ul style="list-style-type: none">expires for failure to pay a maintenance fee;is held unenforceable;is found invalid by a court of competent jurisdiction;is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;has all claims canceled by a reexamination certificate;is reissued; oris in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney of record. Reg. No. 26-155</p> <div style="text-align: right;"> _____ Signature _____ Gary D. Clapp Typed or printed name</div> <div style="text-align: right;">_____ April 5, 2007</div> <div>04/10/2007 SFELEKE1 00000016 10614630 01 FC:1814 130.00 DP</div> <div style="text-align: right;">Telephone No.: 603-226-7490</div> <p><input checked="" type="checkbox"/> Terminal disclaimer fee \$130/\$65 under 37 CFR 1.20(d) is included.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>* Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.</p>		

<p style="text-align: center;"><i>Effective on 12/08/2004.</i> Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p> <p style="text-align: center;">FEE TRANSMITTAL For FY 2006</p> <p>Applicant claims small entity status. See 37 CFR 1.27</p> <p>TOTAL AMOUNT OF PAYMENT: \$130</p>		<p style="text-align: center;"><i>Complete if Known</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"> Application No. Filing Date First Named Inventor Examiner Name Art Unit </td> <td style="width: 50%;"> 10/614,630 July 7, 2003 Robert Lawrence FAIR Michael C. MASKULINSKI 2113 </td> </tr> <tr> <td>Attorney Docket No.</td> <td>EMCCOR P08AUSD1</td> </tr> </table>		Application No. Filing Date First Named Inventor Examiner Name Art Unit	10/614,630 July 7, 2003 Robert Lawrence FAIR Michael C. MASKULINSKI 2113	Attorney Docket No.	EMCCOR P08AUSD1									
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METHOD OF PAYMENT (check all that apply)																
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____																
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number <u>04-0213</u> Deposit Account Name: <u>DAVIS & BUJOLD, P.L.L.C.</u>																
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)																
<input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below except for the filing fee																
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) <input checked="" type="checkbox"/> Credit any overpayments under 37 CFR 1.16 and 1.17																
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																
FEE CALCULATION																
1. BASIC FILING, SEARCH, AND EXAMINATION FEES																
	FILING FEES	SEARCH FEES	EXAMINATION FEES													
<u>Application Type</u>	<u>Small Entity Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fees Paid (\$)</u>												
Utility	300	150	200	100												
Design	200	100	100	50												
Plant	200	100	300	150												
Reissue	300	150	500	250												
Provisional	200	100	0	0												
2. EXCESS CLAIM FEES																
<u>Fee Description</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>														
Each claim over 20 (including Reissues)	50	25														
Each independent claim over 3 (including Reissues)	200	100														
Multiple dependent claims	360	180														
<table style="width: 100%;"> <tr> <td style="width: 20%;"><u>Total Claims</u></td> <td style="width: 20%;"><u>Extra Claims</u></td> <td style="width: 20%;"><u>Fee (\$)</u></td> <td style="width: 20%;"><u>Fee Paid (\$)</u></td> <td style="width: 20%;"><u>Multiple Dependent Claims Fee (\$)</u></td> <td style="width: 20%;"><u>Fee Paid (\$)</u></td> </tr> <tr> <td>-20 or HP =</td> <td>x</td> <td>=</td> <td></td> <td></td> <td></td> </tr> </table>					<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims Fee (\$)</u>	<u>Fee Paid (\$)</u>	-20 or HP =	x	=			
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-20 or HP =	x	=														
<table style="width: 100%;"> <tr> <td style="width: 20%;"><u>Indep. Claims</u></td> <td style="width: 20%;"><u>Extra Claims</u></td> <td style="width: 20%;"><u>Fee (\$)</u></td> <td style="width: 20%;"><u>Fee Paid (\$)</u></td> <td style="width: 20%;"></td> <td style="width: 20%;"></td> </tr> <tr> <td>-3 or HP +</td> <td>x</td> <td>=</td> <td></td> <td></td> <td></td> </tr> </table>					<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>			-3 or HP +	x	=			
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-3 or HP +	x	=														
HP = highest number of independent claims paid for, if greater than 3.																
3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).																
<table style="width: 100%;"> <tr> <td style="width: 20%;"><u>Total Sheets</u></td> <td style="width: 20%;"><u>Extra Sheets</u></td> <td style="width: 20%;"><u>No. of each additional 50 or fraction thereof</u></td> <td style="width: 20%;"><u>Fee (\$)</u></td> <td style="width: 20%;"><u>Fee Paid (\$)</u></td> </tr> <tr> <td>-100 =</td> <td>/ 50 =</td> <td>(round up to a whole number) x</td> <td>=</td> <td></td> </tr> </table>					<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>No. of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	-100 =	/ 50 =	(round up to a whole number) x	=			
<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>No. of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>												
-100 =	/ 50 =	(round up to a whole number) x	=													
4. OTHER FEE(S)																
Non-English Specification, \$130 fee (no small entity discount)				<u>Fees Paid (\$)</u>												
Other (e.g., late filing surcharge): TERMINAL DISCLAIMER				\$130												
SUBMITTED BY																
Signature				Telephone (803) 226-7490												
Name (Print/Type)	Gary D. Clapp			Registration No. (Atty/Agent) 29,055 Date: April 5, 2007												